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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
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In re Application of
THUY-PHUONG LE et al.
Application No.: 10/533,083
PCT No.: PCT/DE03/03029
Int. Filing: 12 September 2003
Priority Date: 28 October 2002
Attorney Docket No.: 2002PO3505WOUS
For: METHOD AND APPARATUS FOR
EXCHANGING DATA USING A TUNNEL
CONNECTION

COMMUNICATION

This application is before the PCT Legal Office for consideration of matters arising under 35 U.S.C. 371. This is also responsive to applicant's communication filed via facsimile on 30 November 2005 in the United States Patent and Trademark Office (USPTO) in the above-captioned application.

On 30 September 2005, a Notification of Missing Requirements (FORM PCT/DO/EO/905) was mailed to applicant indicating that the declaration submitted on 28 April 2005 with the request for entry into the national stage, listed the inventor as Thuy-Phuong Le, rather than Le Thuy-Phuong as listed on the published international application. An explanation was required as to how the error in the inventor's name occurred, e.g. is this a correction of a transliteration or typographical error. The declaration as filed is not in compliance with 37 CFR 1.66 or 1.68 as it identifies a legal entity not identified on the international application and is unacceptable as filed.¹

On 30 November 2005, a reply to the Notification of Missing Requirements was filed via facsimile. Unfortunately, the 30 November 2005 submission was not signed by the attorney of record in the above referenced application. 37 CFR 10.18(a) emphasizes that every paper filed by a practitioner must be personally signed by the practitioner and states, in pertinent part, :

For all documents filed in the Office in patent, trademark, and other non-patent matters, except for correspondence that is required to be signed by the applicant or party, each piece of correspondence filed by a practitioner in the Patent and Trademark Office must bear a signature, personally signed by such practitioner, in compliance with § 1.4(d)(1) of this chapter.

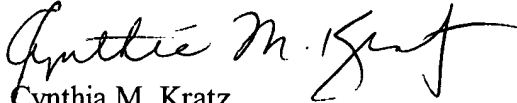
¹Section 201.03 of the Manual of Patent Examining Procedure states where a typographical or transliteration error in the spelling of an inventor's name is discovered, the Office should simply be notified of the error to correct the name of the inventor.

(Emphasis added.)

In the instant case, the submission on 30 November 2005 was not personally signed by the practitioner and thus is not an acceptable filing.

CONCLUSION

This application is being held in the PCT Legal Office to await applicant's further reply. The time period set forth in the Form 905 remains in effect.



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